

CITY COUNCIL MEETING

November 5, 1973

7 p. m.

COUNCIL CHAMBERS

1207th Meeting

The one thousand two hundred seventh meeting of the Council of the City of Milwaukie, Oregon, was held on the 5th day of November, 1973. The meeting was called to order by Mayor Donald W. Graf, with the following councilpersons present:

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|---------------------|---------------------|
| Robert G. Stochosky | William M Keller |
| Bill E. Hupp | Mayor Donald W Graf |
| Joy Burgess | |

Also present:

- | | |
|-----------------------------------|-------------------------------|
| Myer Avedovech, City Mgr. pro tem | Rod Sandoz, City Planner |
| J Wayne Daigle, Dir. P W. | Dorothy E. Farrell, Secretary |

CONSENT CALENDAR

- a) Approval of minutes - October 15, 1973 meeting
- b) Final payment - Mason Lane L I. D.
- c) Memo from Manager re Lions Club Christmas tree sale
- d) Notice of Management Development Workshop
- e) Answers to questions re Spring Creek Park and blackberries on King Rd.
- f) Letter from Jean Baker re costs of new residents
- g) Memo from Manager re absence
- h) Letters re Fire Department Fire Prevention programs
- i) Memo from Manager re Police communications system

It was MOVED by Burgess, SECONDED by Keller, that the Consent Calendar be adopted with the exception of item f. Motion CARRIED and so ordered.

Final payment on Mason Lane Local Improvement District is to Portland Road and Driveway in the amount of \$15,013.70. City Manager has given approval to Lions Club for Christmas tree sale in their usual location on Adams Street.

Mayor had asked that Council get copies of Continuing Education Division course in Management Development and Human Relations Memorandum from City Manager pro tem, dated October 23, 1973, answers questions raised by Mrs. Betty Stephens of Milwaukie Parks and Beautification Committee concerning Spring Creek Park, and a complaint concerning blackberries from 5219 King Road east made by Charles M Cuculich, 4335 King Road. Memorandum from City Manager pro tem, dated October 23, states he will be absent from the city November 6 through 9. Letters praising the Fire Department fire prevention program have come from James E Howcroft, 8836 SE 39th, Kenneth D West, Principal of Hector Campbell School, Lucille Beattie of St. John School and Barbara Bengel, Linwood School. Memorandum from City Manager pro tem, dated October 31, has to do with Police communications system inquiry by Councilman Hupp.

AUDIENCE PARTICIPATION

1. John Schleining, Counselor for Clackamas County Circuit Court Juvenile Department, requested from the city \$1615 in revenue sharing funds, computed on the percentage of youth from the area likely to participate in the summer counseling recreation program. He was told the Council would give it serious consideration.

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2. Henry Hoffman, Deputy State Fire Marshal, reported on questions raised by Councilman Hupp at the last meeting, as to whether St. Johns Catholic School, Milwaukie Junior High and Milwaukie Community Club had complied with orders given by the Fire Marshal. Mr. Hoffman stated all these buildings were in compliance. Councilman Stochosky stated since Councilman Hupp had made accusations in public and caused great concern among the citizens, and the accusations had been proven not to be true, that Mr. Hupp should make a public apology. Mr. Hupp said he didn't think he should be requested to apologize for asking a question. Councilman Keller stated if the questions had been asked of the City Manager the answers probably would not have been so erroneous as when a councilman asks questions of city staff without going through the Manager.

3. Representatives of the Coalition of Social Services spoke against the city transferring funds away from the Coalition of Social Services to do the necessary repairs to City Hall and the Police Department.

4. The Deputy Fire Marshal stated there was an alternative to some of the repairs he had ordered to City Hall, which would be to have someone patrolling when the firemen were asleep. In answer to a question, he also stated it would be possible to install an early smoke detection system, which might be cheaper than the structural changes.

(Meeting recessed at 8:35 p. m. , reconvened at 8:50 p. m. with all present.)

CORRESPONDENCE

1. Letter has been received from Mecca League of Women Voters, dated October 25, asking the Council not to withdraw funds from the Coalition of Social Services.

2. Letter has been received from William H. Young, Beaverton Mayor, dated October 17, stating the first meeting of the newly formed regional planning district (Columbia Region Association of Governments) will be November 15 at 7:30 p. m. in the Beaverton Council Chambers.

3. Letter has been received from the U. S. Environmental Protection Agency, dated October 16, stating the city is authorized to advertise for and open bids for the \$800,000 interceptor sewer program No. C-410388.

4. Letter has been received from Robert L. Allen, attorney for Rex Kimsey Construction Co. , complaining of the procedures for the sewer bids, and the City Manager pro tem has answered the letter on November 1.

PUBLIC HEARING - MASON LANE L. I. D. - ORDINANCE NUMBER 1287

Public hearing was declared open at 8:55 p. m. Notices posted and mailed as required. No one appeared to speak either in favor or against the assessment, and no correspondence was received. Public hearing was declared closed at 9 p. m. It was MOVED by Stochosky, SECONDED by Keller, that Ordinance Number 1287

(AN ORDINANCE DECLARING THE ASSESSMENT FOR THE IMPROVEMENT OF MASON LANE FROM 41ST STREET EAST APPROXIMATELY 600 FEET FROM THE CENTERLINE OF 41ST STREET, BY THE CONSTRUCTION OF AN ADEQUATE STREET AND ALL OTHER THINGS APPURTENANT TO STREET CONSTRUCTION, AND DECLARING AN EMERGENCY) be read the first time. MOTION CARRIED and so ordered. It was MOVED by Hupp, SECONDED by Burgess, that Ordinance 1287 be read the second time by title only MOTION CARRIED and so ordered. Ordinance 1287 was put on its passage with the following roll-call vote. AYES Hupp, Stochosky, Burgess, Keller and Graf. NOES: None Ordinance 1287 passed the Council and was so declared by the Mayor.

RESOLUTION NUMBER 29-1973 - PARK AND RIDE STATION

It was MOVED by Burgess, SECONDED by Stochosky, that Resolution Number 29-1973 (A RESOLUTION SETTING COUNCIL POLICY ON THE CONCEPT OF A PARK AND RIDE STATION IN THE CITY) be read. MOTION CARRIED and so ordered. It was MOVED by Stochosky, SECONDED by Keller, that Resolution 29-1973 be adopted. MOTION CARRIED and so ordered.

APPOINTMENT OF TRAFFIC SAFETY COMMISSION

The following persons were appointed to the Milwaukie Traffic Safety Commission

- Andrew Hanners
- David McConnon
- Joe Bernard
- Lou Althaus
- George C Hein
- Nancy McCarthy
- Larry Weber (appointed by North Clackamas School District)

REPORT ON \$2500 BUDGETED FOR LIBRARY GROUNDS

\$1400 budgeted for completion of Library grounds in the 1972-73 revenue sharing budget was not spent before the end of that budget year, and was not rebudgeted in 1973-74. The Manager was asked to meet with the Parks and Beautification Committee and get an estimate of the cost to complete the project, and give a recommendation to the Council on where the money to complete it can be found.

RESOLUTION RE TRANSFER OF FUNDS

A resolution has been prepared transferring funds from Coalition of Social Services, House Numbering System, and Legal Office Furnishings to Building Alterations, to allow enough money to make the changes required by the State Fire Marshal in the City Hall and Police Department. It was decided to wait to vote on the resolution until the next regular meeting, and staff will reevaluate the cost of repairs to City Hall in light of the information just volunteered by the State Fire Marshal that smoke detection systems would be a satisfactory alternative to building alterations, and might be cheaper. Also staff will report again on the cost of leasing a computer rather than outright purchase, which would be a larger total cost but would free more

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money in this budget year, and answer questions as to the cost of maintenance contracts when leasing as compared to outright purchase.

LOAVES AND FISHES PROGRAM

Lewis W Major gave a report on the Loaves and Fishes Program, and thanked the city for its contribution.

(Meeting recessed at 9:55 p. m. , reconvened at 10:05 p. m. with all present.)

ZC-73-8 - 2916 LAKE ROAD

At the request of applicant for this zone change, consideration was postponed to the next regular meeting

RESOLUTION NUMBER 30-1973 - PARKING LOT LOAN AND MOTION RE ASSESSMENTS

It was MOVED by Burgess, SECONDED by Keller, that Resolution Number 30-1973 (A RESOLUTION ACKNOWLEDGING A LOAN AND DEBT OBLIGATION TO THE STREET IMPROVEMENT FUND FROM THE SEWER IMPROVEMENT FUND AS OF JUNE 30, 1973, IN THE AMOUNT OF \$45,030, AND PROVIDING FOR THE REPAYMENT OF SAID LOAN, AS AUTHORIZED BY ORS 294.460) be read MOTION CARRIED and so ordered. It was MOVED by Burgess, SECONDED by Stochosky, that Resolution 30-1973 be adopted. MOTION CARRIED and so ordered.

It was MOVED by Stochosky, SECONDED by Keller, that the Council formalize the following intent:

"The City Council intends to reduce the receivable of Roll No 109 by the amount of the annual payment assessed to each property. Previous balances will be adjusted by the auditor as of 6/30/73 to carry out this intent. The reduction of the receivable is to be done before June 30 each year at the discretion of the Council.

"It is the intent and desire of the Council to repay Willamette Savings and Loan and Southern Pacific who in fact paid their share of the assessment at this time, said payment to be made as per the terms and agreements arrived at between the city of Milwaukie and Willamette Savings and Loan and Southern Pacific."

MOTION CARRIED and so ordered.

RESOLUTION NUMBER 31-1973 - WATER TURN-ON FEE

It was MOVED by Stochosky, SECONDED by Burgess, that Resolution Number 31-1973 (A RESOLUTION AMENDING RESOLUTION NUMBER 65-1968, AS AMENDED, AND ESTABLISHING WATER TURN-ON FEE) be read. MOTION CARRIED and so ordered. It was MOVED by Burgess, SECONDED by Keller, that Resolution 31-1973 be adopted. MOTION CARRIED and so ordered.

COMMUNITY RADIO WATCH FUNDS

Council has received memorandum from the Finance Director, requesting that Community Radio Watch funds be removed from the city's accounting procedures. It was MOVED by Stochosky, SECONDED by Burgess, that the City of Milwaukie disinvolve itself from the handling of funds for the Community Radio Watch program, and said funds be turned over to responsible officers of that group, namely Officer Gadberry and Councilman Hupp, for their administration. MOTION CARRIED and so ordered.

ORDINANCE NUMBER 1288 - RELATING TO TRAFFIC CONTROL

It was MOVED by Keller, SECONDED by Burgess, that Ordinance Number 1288 (AN ORDINANCE AMENDING ORDINANCE NUMBER 1021, AS AMENDED, RELATING TO TRAFFIC CONTROL, AND DECLARING AN EMERGENCY) be read the first time. MOTION CARRIED and so ordered. It was MOVED by Burgess, SECONDED by Stochosky, that Ordinance 1288 be read the second time by title only. MOTION CARRIED and so ordered. Ordinance 1288 was put on its passage with the following roll-call vote: AYES: Hupp, Stochosky, Burgess, Keller and Graf. NOES: None. Ordinance 1288 passed the Council and was so declared by the Mayor.

AUTHORIZATION FOR MAYOR TO SIGN LEASE TO KIWANIS

It was MOVED by Stochosky, SECONDED by Burgess, that the Mayor be authorized to sign lease from city of Milwaukie to Milwaukie Kiwanis Club, to allow the Kiwanis to put their paper collection center on city-owned property at 34th and Railroad. MOTION CARRIED and so ordered.

CONTRACT FOR LEGAL SERVICES

It was MOVED by Stochosky, SECONDED by Keller, that the city enter into agreement with Myer Avedovech for legal services on a 40-hour week basis. MOTION CARRIED and so ordered. Councilman Hupp wished his vote recorded as "no."

COMMITTEE TO SCREEN CITY MANAGER APPLICATIONS

The City Manager job description submitted to Council by the committee is satisfactory. It was decided Council would try to meet with the committee at 7 p. m. Friday, November 2.

RESOLUTION NUMBER 32-1973 - TOPICS AGREEMENT

It was MOVED by Stochosky, SECONDED by Burgess, that Resolution Number 32-1973 (A RESOLUTION AGREEING TO ENTER INTO TOPICS AGREEMENT FOR ENGINEERING STUDIES FOR IMPROVEMENT OF SOUTHERN PACIFIC RAILROAD CROSSING ON 21ST AVENUE AT ADAMS STREET) be read MOTION CARRIED and so ordered. It was MOVED by Hupp, SECONDED by Keller, that Resolution 32-1973 be adopted. MOTION CARRIED and so ordered.

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OTHER BUSINESS

1. It was MOVED by Hupp, SECONDED by Keller, that permission be given to Milwaukie Historical Society to move the house they plan to use for a museum, from its present location to 3737 Adams Street, and that the city charge no fee. MOTION CARRIED and so ordered.
2. Application for RMBC liquor license has been received from Champ A. Husted for 3056 Harrison Street. A public hearing will be held at the next meeting.
3. Since the Ledding Library has been operating on shorter hours, circulation has dropped 25%.
4. City Manager pro tem requested an executive session with Council at 6:30 p. m. November 19, under Chapter 172, Oregon Laws, Section 6, subsection a.
5. There will be a work session on collective bargaining at 7 p. m. November 26, and Council will meet with neighborhood representatives at 8 p. m. that night.
6. There was discussion of item f on the consent calendar, which was letter from Jean Baker re costs of new residents. Mrs. Baker was asked to present background information for the figures she has presented.

PAYMENT OF BILLS

It was MOVED by Stochosky, SECONDED by Keller, that the bills listed for November 6, 1973 payment be approved for payment. MOTION CARRIED and so ordered.

The meeting adjourned at 12 p. m.

Donald W. Graf
Donald W. Graf, Mayor

ATTEST:

Dorothy E. Farrell
Dorothy E. Farrell, Secretary

CITY OF MILWAUKIE
BILLS PAYABLE ON NOVEMBER 6, 1973

<u>VENDOR</u>	<u>TOTAL</u>	<u>DEPT.</u>	<u>AMOUNT</u>
1. A & A Drilling Service	372.76	30-	372.76
2. AM Multigraphics	103.55	1-2	103.55
3. All States Leasing Co.	45.32	1-2	45.32
4. American Business Machine Inc.	30.00	1-2	30.00
5. Myer Avedovech	39.93	1-2	3.25
		1-9	7.50
		1-12	28.18
6. Badger Meter Inc.	669.83	30-	669.83
7. Baker & Taylor Co.	33.98	1-6	33.98
8. Lyle Baldwin	19.50	4-	19.50
9. Business Equipment Bureau	94.25	1-4	94.25
10. Cash 60 Minute Cleaners	100.91	1-5	100.91
11. The Childrens Book Council	10.00	1-6	10.00
12. Clackamas County	99.50	4-	96.00
		5-	4.50
13. Columbia Equipment Inc.	17.95	4-	17.95
14. Cornell Manufacturing Co.	2782.90	30-	2782.90
15. J. Wayne Daigle	39.00	1-10	39.00
16. Day Timers Inc.	11.50	1-12	11.50
17. Diversified Industries	25.00	4-	25.00
18. Diesel Service Unit	1947.52	4-	21.24
		20-	1926.28
19. Electromatic Associate, Inc.	499.55	1-5	499.55
20. Empire Building Material Co.	4.12	1-1	4.12
21. Eugene Overall/Blue Seal	92.23	1-3	29.70
		1-4	40.93
		1-6	21.60
22. Berg Evans Chain Co.	6.15	20-	6.15
23. Freightliners	13.16	20-	13.16
24. G.I. Joes Inc.	26.71	1-5	26.71
25. CTE Information Systems Inc.	60.00	1-5	60.00
26. The Gay Blade	301.42	1-5	301.42
27. Gaylord Bros. Inc.	130.00	1-6	130.00
28. Charlie Helwig Inc.	150.14	1-2	12.80
		1-4	42.56
		1-5	75.08
		1-6	13.20
		1-12	6.50
29. Horton Electric	7.15	30-	7.15
30. Ken R. Humke Co.	43.14	30-	43.14
31. IBM	153.66	1-2	23.66
		1-5	130.00
32. International Harvester Co.	41.00	20-	20.50
		30-	20.50
33. R Mart	25.00	1-1	10.00
		1-3	15.00
34. Dorene Marchant	12.76	1-1	12.76
35. McNaughton Book Service	31.25	1-6	31.25
36. Edwin Mickel, M.D.	10.00	1-5	10.00
37. Milwaukee Loaves & Fishes	500.00	12-	500.00
38. Milwaukee Lumber Co.	408.89	1-4	17.10
		1-5	109.64
		4-	23.40
		30-	16.50
		12-	242.25
39. Milwaukee Plumbing	30.42	1-5	21.50
		20-	8.92

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CITY OF MILWAUKIE
BILLS PAYABLE ON NOVEMBER 6, 1973 =continued

<u>VENDOR</u>	<u>TOTAL</u>	<u>DEPT.</u>	<u>AMOUNT</u>
40. The Mobile Repair	145.40	1-4	145.40
41. National Chemsearch Corp.	112.72	1-4	112.72
42. Newell Truck Equipment Co.	19.22	4-	19.22
43. Northwest Natural Gas	85.31	1-6	30.57
		4-	41.65
		30-	13.09
44. Nudelman Bros.	6.50	1-5	6.50
45. Myles O'Donnell & Co.	646.35	1-3	384.80
		1-5	261.55
46. Oregon Fire Chiefs Fall Conference	22.00	1-4	22.00
47. Oregon State Library	10.45	1-6	10.45
48. Oregon Audio Video Systems	191.25	1-5	191.25
49. Oregon Toro Disbributors Inc.	25.04	20-	25.04
50. Pacific Building Materials	243.37	4-	93.39
		20-	56.61
		30-	93.37
			?
			?
52. Pacific Coast Industrial Laundry	39.00	4-	39.00
53. Pacific Northwest Bell	2072.51	1-1	500.28
		1-3	458.09
		1-4	456.65
		1-5	480.89
		1-6	83.17
		4-	33.55
		20-	21.93
		30-	37.95
54. Petty Cash	148.70	1-1	8.74
		1-2	16.85
		1-3	1.36
		1-4	36.33
		105	36.64
		1-6	17.41
		1-7	2.50
		1-9	6.00
		1-10	8.50
		4-	12.55
		20-	.63
		30-	1.19
55. Pittsburg Testing Laboratory	10.00	6-	10.00
56. Paul Pohlen	220.50	12-	220.50
57. City of Portland	768.75	1-1	25.00
		4-	743.75
58. Portland General Electric	5494.67	1-1	3494.40
		1-3	124.21
		1-4	36.87
		1-5	75.09
		1-6	279.63
		1-7	8.49
		4-	91.28
		20-	649.78
		30-	734.92
59. Portland Typewriter & Office Machine Co., Inc.	17.60	1-6	17.60
60. Leon D. Pudenzaugh	145.00	12-	145.00
61. Robert L. Ransom	1100.00	1-1	1100.00

CITY OF MILWAUKEE
BILLS PAYABLE ON NOVEMBER 6, 1973 - Continued

<u>VENDOR</u>	<u>TOTAL</u>	<u>DEPT.</u>	<u>AMOUNT</u>
62. The Review	161.08	1-1	105.89
		1-9	17.12
63. Rub A Dub Car Washes	41.64	1-5	41.64
64. Sanderson Safety Supply Co.	48.53	1-4	48.53
65. Earl Scheib	39.95	1-5	39.95
66. Service Oil Co.	324.41	1-3	88.95
		1-4	124.29
		4-	111.17
67. Shell Oil Co.	3.23	1-5	3.23
68. Standard Oil Co. of Calif.	643.97	30-	643.97
69. State of Oregon	14.00	1-12	14.00
70. State of Oregon - Dept. of Motor Vehicles	95.00	1-8	95.00
71. Stevens Thompson & Runyon Inc.	30481.13	5-	25036.31
		12-	5444.82
72. Street Fund	24.90	1-4	10.63
		20-	8.88
		30-	5.39
73. Subpoena Fees	10.00	1-8	10.00
74. Traffic Safety Supply Co.	202.14	4-	202.14
75. Tri County Office Machine Co.	10.00	12-	10.00
76. Union Oil Co.	127.13	4-	127.13
77. Valley River Inn	15.50	1-4	15.50
78. Water Fund	379.41	1-4	51.98
		105	252.69
		1-7	1.67
		1-10	12.84
		4-	47.46
		20-	12.77
79. Waterworks Supplies Co.	1082.53	4-	6.79
		30-	1075.74
80. West Chemical Products Inc.	23.80	1-3	23.80
81. Western Drug Label	81.00	1-2	35.00
		1-5	46.00
82. Western Kraft Corp.	78.00	1-5	78.00
83. Western Propane Inc.	85.22	20-	85.22
84. Richard White	127.95	1-4	127.95
85. Wilco Fire Equipment Co.	197.10	1-4	1.10
		1-5	196.00
86. Xerox Corp.	60.00	1-5	60.00
87. Karen Zuleger	25.65	1-8	25.65

\$54,897.76

1-1 GENERAL	5,261.19		
1-2 ADMINISTRATION & FINANCE	270.43		
1-3 CITY HALL	1,125.91	4- STREET	1,772.17
1-4 FIRE	1,384.79	20- SEWER	2,835.87
1-5 POLICE	3,104.24	30- WATER	6,518.40
1-6 LIBRARY	678.86	5- SEWER IMPROVEMENT	25,040.81
1-7 PARKS & GROUNDS	12.66	6- STREET IMPROV.	10.00
1-8 MUNICIPAL COURT	130.65	12- REVENUE SHARING	6,600.64
1-9 PLANNING	30.62		
1-10 PUBLIC WORKS	60.34		
1-12 LEGAL	60.18		

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